

**THE SEWER BOARD OF THE CITY OF NEW ALBANY, INDIANA HELD A MEETING IN THE 3<sup>RD</sup> FLOOR ASSEMBLY ROOM OF THE CITY/COUNTY BUILDING, NEW ALBANY, INDIANA ON TUESDAY, JANUARY 9, 2007 AT 3:30 P.M.**

**PRESENT:** Chairman Mayor James Garner, Vice Chairman Bill Utz, Kevin Zurschmeide, Todd Solomon and Larry Kochert.

**OTHERS:** Attorney Greg Fifer, Tim Crawford and Brian Dixon, EMC, and City Clerk Marcey Wisman.

**CALL TO ORDER:**

**Mayor Garner called the meeting to order at 3:33 p.m.**

**PLEDGE OF ALLEGIANCE:**

**APPROVAL OR CORRECTION OF THE FOLLOWING MINUTES:**

**Mr. Utz moved to approve the December 19 minutes as amended, Mr. Kochert second, all voted in favor.**

**COMMUNICATIONS - PUBLIC:**

**COMMUNICATIONS - CITY OFFICIALS**

**Kay Garry addressed the payments made to IN-AWC and having the amount split between sewer, sanitation and drainage. She presented a memo showing the total amount paid for 2006 and the percentages that should be paid by each department.**

**Mr. Kochert** brought up the issue of the amount of time the billing office employees spend on stormwater.

**Mayor Garner** asked Mrs. Garry if she has made any changes as far as how the percentages are supposed to be split up or is this just what she is recommending.

**Mrs. Garry** said that it was up to the board and asked if this is how the board would like for her to split the IN-AWC billing.

**Mr. Fifer** stated that they also need to decide how they want her to handle the interest credited.

**Mrs. Garry** stated that the interest comes in at the end of each month and she can allocate it based on those percentages.

**Mayor Garner** said they need to review this on an annual basis, but that the stormwater would go up a bit this year in percentage.

**Mrs. Garry** stated that in their computer people were coming to help with the year end report.

**Mr. Solomon** asked about the projected revenue for stormwater.

**Mayor Garner** said the projected revenue is one million dollars.

**Mr. Solomon** stated that the percentages were wrong.

**Mayor Garner** explained that it was only for residential customers.

**Mr. Solomon** said the percentages should be more accurate.

**Mayor Garner** said that is why he suggested that they look at this on a regular basis and that Kay is going to come back with a recommendation as to how they bill out salaries to these departments.

**Mr. Kochert** stated that he would like to look at this again in June.

**Mrs. Garry** discussed the issue of opening separate checking accounts for the different departments. She stated that Brian Watkins from State Board of Accounts is going to check to see if stormwater was a new utility and if so then it would need a separate account. On the Sanitation department he asked how you open an account for a department that is \$2M in the red. She stated that the stormwater looks as if it is going to close approximately \$140,000 in the black.

**Mr. Utz asked** if the board could not act on the IN-AWC percentages that Kay had given them.

**Mr. Utz made a motion to use the percentages presented, Mr. Solomon second, all voted in favor.**

**Mr. Solomon** asked Kay if she was going to come back and show them how to split up the amount of time spent on the different department billings.

**Mrs. Garry** stated that she needs to figure out the best way to calculate the amount of time everyone is spending on the different departments.

**There was a lengthy discussion regarding the best way to figure the amounts**

**Mr. Utz** asked if we have made any progress regarding space for the billing department.

**Mayor Garner** stated that he and Kelly went across the street and looked at the space and she determined that it was not a good space and that they are going to get with Scott Wood to see if there is a way to create some space for them.

**Mr. Solomon** asked about the status on Old Ford Road.

**Mr. Dixon** stated that it was 2/3 complete. He had a request from the City Council that he get an estimate to pave the whole road and Team Contracting stated that it would be an extra \$10,000, and he needs to know if this board wants to pay for the whole road to be paved.

**Mr. Kochert** asked if they shouldn't go back and ask the council to give the money for the paving.

**Mr. Fifer** stated that perhaps they need to ask for money to re-pave all the streets.

**Mr. Dixon** stated that he needs to know soon if they want this street to be re-paved.

**Mr. Zurschmeide** stated that he felt that we needed to go with the original agreement to fix the trench and let the council find the money to repave the street.

**It was decided not to do the additional \$10,000 paving.**

**Mr. Solomon** asked if the cap has been installed on Grantline Road.

**Mr. Dixon** said it had.

**Mr. Solomon** asked if the letter had been sent to the EPA regarding Camp Avenue.

**Mr. Fifer** stated that he received it from Mr. Dixon but he has not sent it yet.

**Mr. Solomon** asked if they have had the closing on the SRF yet.

**Mr. Fifer** stated that they are trying to finish it up. They are looking for the bid documents, advertisements and contract documents.

**Mr. Solomon** asked if he has heard anything about the Jail Bond money.

**Mayor Garner** stated that it came in December but that Kay is now working with Doug Baldisarri as to the amount that needs to come to the Sewer Utility.

**Mr. Solomon** asked Mr. Fifer if Clark Dietz had been working with him on the Systems Development fee.

**Mr. Christmas** stated that they have not but they would in the next couple of weeks.

**Mr. Kochert** asked where they are at on the Fox Cotner suit.

**Mr. Fifer** stated that in his opinion they are heading for trial unless they would like to try to settle it.

**The board decided to have an executive session after the next meeting to discuss a settlement.**

**Mr. Solomon** asked about the ADM settlement.

**Mr. Fifer** stated that he needs to see Kay to get a check cut.

#### **SEWER ADJUSTMENTS:**

#### **NEW BUSINESS:**

**Item #1 - Dustin Howard with Kightlinger and Gray re: Mr. Peyton's \$11,000 dollar claim against the city.**

**Mr. Howard** addressed the board on behalf of Indiana Farmer's insurance for their client Mark Payton who had sewage backed up into his basement and city employees that came out and told them that the city was at fault. Indiana Farmer's paid \$5,000 and the city made a payment of \$11,000. The insurance company would now like to be reimbursed for the \$5,000 that they paid.

**Mr. Fifer** asked if he had talked to Mr. Shane Gibson regarding this, because he would have been the one to handle this claim and does not want to step on his toes in this situation.

**Item #2 - Brett Sofie re: signing Reflection Ridge Developers Section 2**

**Mr. Sofie** brought a plat to be signed for Reflection Ridge, Section 2.

**Mr. Solomon** asked where this is located.

**Mr. Sofie** stated that this is on Green Valley Road.

**The board signed the Plat.**

#### **OLD BUSINESS:**

**Item #1 - Donohue re: Project Update**

**Steve Gress** reported that as of January 4 they prepared a response for the NPDES Permit and he is waiting on IDEM's response.

**Paul Elling presented the correction on the Draft for the Basins 35-40 Master Plans. He went over these changes and the priority projects and their costs with the Board. Said the corrections are on File with the City Clerk's office. He also presented maps from Hannum, Wagle and Cline showing areas in basins 25, 33 and 37 where they are working on a Grantline Industrial Park and they are basing there GPD on a higher rate than what they used in the master plan.**

**Mayor Garner** said that Redevelopment shows 40 acres of land at Durgee Road and Hannum, Wagle and Cline are doing a study to see how much more land is available. He explained that the city currently has 40 acres of land with no sewers on it which is to be developed as an industrial park as per the gift of that 40 acres.

**Mr. Solomon** asked if there was still roughly one million dollars of TIF bond money available that is sitting idle that could be used to extend sewers to those 40 acres.

**Mayor Garner** stated that he believes that would be the case and that he thought the bond documents would have to be changed because they had already been changed once during the Overton administration. The money was originally there for sewers but was changed to infrastructure for roads and things of that nature so they may have to take it before the council.

**Mr. Utz** asked if this was different TIF money than what they were talking about regarding basin 35.

**Mayor Garner** said that was correct and he explained that this was a bond that was issued in 1998 and that the money is still sitting there.

**Mr. Elling** asked if he should use their flows for the Master Plan.

**Mr. Solomon** asked if the dollar figures that Mr. Elling presented to them include upsizing.

**Mr. Elling** stated that it did not.

**Mr. Solomon** asked Mr. Elling what he thought they were planning to use 1,000 gallons per acre per day.

**Mr. Elling** stated that the industrial areas are seventy-five and that the land use plan has some of the area as residential and those rates ended up being 1085. He explained that the gist of what Hannum, Wagle and Cline found was that there was 160 acres plus a potential 40 acres which averages 200,000 gallons a day

**Mayor Garner** stated that he thinks that the board needs to look into this and how it will affect the Master Plan because this is some of the last industrial land there is in New Albany.

**Several board members expressed that they didn't feel that it was likely that they would use 1000 gallons per acre in this area.**

**Mr. Elling** stated that he felt that if they figured it at 750 it would be sufficient.

## **Item #2 - Clark Dietz re: Project Update**

**Mr. Christmas** stated that the new pipe is in the ground and flows are now being pushed through the Robert E. Lee Line and that they will begin monitoring the flow soon. He presented a memo of the existing flows to compare to the new flows now that the line is up. Said that the memo is on file with the City Clerk's office. He stated that Basin 4 plans are complete and they are having a wage rate hearing at the end of the month and they will be ready to go when the board gives them the go ahead. He reported that they have began the surveying on Basin 35 and that should be done by the end of the month.

**Mr. Dixon** stated that he received a call from Mr. Wilhelm, the gentleman we had an

easement issue with, and he claims that the contract stated that they would plant Canadian Hemlocks to cover the line. He asked if he should get a price on the trees.

**Mayor Garner** asked that he go ahead get prices.

**Mr. Christmas** reported that on basin 18 they have received the flow monitoring and they think they know what may have been the problem and will prepare a report.

**EMC REPORT:**

**CLAIMS:**

**Mr. Dixon presented the following claims:**

Clark Dietz Inc.	\$16,170.25	Robert E. Lee & Basin 4 Interceptor
Excel Excavating	\$3,047.50	Street Paving
Melhisier Enders Tucker	\$2,041.00	Monthly Financial Review
The Tribune	\$3.48	Sewer Cleaning Truck Ad
Team Contracting	\$211,952.62	Robert E. Lee Interceptor
	\$28,891.00	Old Ford Rd Sewer
Monthly Drainage Fee	\$304.32	
Colonial Services	\$6,266.18	House Cleaning-402 Hamlet

**Mr. Utz moved to approve, Mr. Kochert second, all voted in favor.**

**Mr. Solomon** asked what the vehicle cost of \$240 was for.

**Mr. Christmas** reported that it is an amount for a field vehicle.

**BIDS:**

**Brian Dixon re: Vacuum Truck bids**

**Mr. Dixon presented the following bids for the vacuum truck:**

Jack Doheny \$205,000-Vactor

Brown Equipment \$198,750.00-Aquatech

**Mr. Dixon** stated that he would recommend that they agree to the Aquatech truck and get it on the agenda to get it built because the EPA are getting ready to change regulations on emissions.

**Mr. Solomon motioned to approve the Brown Equipment bid contingent on Mr. Dixon’s review of the bids, Mr. Kochert second, all vote in favor.**

**ADJOURNMENT:**

There being no further business before the Sewer Board, the meeting adjourned at 5:02 p.m.

Respectfully submitted,

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Mayor James Garner, Chairman

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Marcey J. Wisman, City Clerk